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Attorneys for Defendants CITY OF LOS ANGELES,
LT. ANDREW MATHES, SGT. RICHTER, and SGT. HAMER

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CARL MITCHELL, MICHEAL
ESCOBEDO, SALVADOR ROQUE,
JUDY COLEMAN, as individuals; LOS
ANGELES CATHOLIC WORKER,
CANGRESS, as organizations,

PLAINTIFFS,

v.

CITY OF LOS ANGELES, a municipal
entity; LT. ANDREW MATHIS, SGT.
HAMER and SGT. RICHTER, in their
individual and official capacities,

DEFENDANTS.

CASE NO. CV16-01750 SJO (JPRx)
*[Assigned to the Honorable S. James
Otero]*

**DEFENDANT CITY OF LOS
ANGELES' REQUEST FOR
JUDICIAL NOTICE**

[City's Opposition to Motion to Intervene
filed concurrently]

Date: August 12, 2019

Time: 10:00 a.m.

Ctrm: 10C

Judge: Hon. S. James Otero

Action Filed: March 14, 2016

Action Terminated: May 31, 2019

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that in support of Defendant CITY OF LOS ANGELES' ("Defendant" or the "City") Opposition to Motion to Intervene, the City requests, pursuant to Rule 201 of the Federal Rules of Evidence, that the Court take judicial notice of the following document:

1. **Exhibit A:** City of Los Angeles Clerk Report and Action History for Council File Number 18-0751, *Carl Mitchell et al. v. City of Los Angeles et al.*

A court may take judicial notice of matters that are capable of immediate and accurate determination by resort to easily accessible sources of indisputable accuracy. Fed. R. Evid. § 201(b). A court "shall take judicial notice if requested by a party and supplied with the necessary information." *Id.* § 201(d). The Court "may take judicial notice of undisputed matters of public record" *Harris v. Cnty. of Orange*, 682 F.3d 1126, 1132 (9th Cir. 2012); *Reyn's Pasta Bella, LLC v. Cisa USA, Inc.*, 442 F.3d 741, 746 fn 6 (9th Cir. 2005) ("We may take judicial notice of court filings and other matters of public record.").

Exhibits A attached hereto is a true and correct copy of the City Clerk Report and Action History for Council File Number 18-0751, *Carl Mitchell et al. v. City of Los Angeles et al.* publicly available online at the City Clerk's website for Council Files: <https://cityclerk.lacity.org/lacityclerkconnect>. Accordingly, the Court may take judicial notice of Exhibit A pursuant to legal authority cited above.

Dated: July 15, 2019

MICHAEL N. FEUER, City Attorney
KATHLEEN KENEALY, Sr. Asst. City Attorney
SCOTT MARCUS, Sr. Asst. City Attorney
FELIX LEBRON, Deputy City Attorney

By: /s/Felix Lebron
FELIX LEBRON
Deputy City Attorney
Attorney for DEFENDANTS

Carl Mitchell, et al v. City of Los Angeles – CV16-01750 SJO

EXHIBIT A

Office of the City Clerk, City of Los Angeles

This report was generated by the Council File Management System on 07/15/2019

Council File Number

18-0751

Title

Carl Mitchell, et al. v. City of Los Angeles, et al.

Last Change Date

05/24/2019

Expiration Date

05/17/2021

Reference Numbers

City Attorney Report: R18-0257; R19-0144, Reference: 2:16-cv-01750-SJO-JPR;
16-cv-01750-SJO(JPRx), Related Council File: 18-0390

Action History for Council File 18-0751

Date Activity

05/24/2019 Mayor transmitted Council File to City Clerk.

05/23/2019 City Clerk transmitted file to Mayor. Last day for Mayor to act is June 3, 2019.

05/22/2019 Council approved the City Attorney's recommendations forthwith.

05/17/2019 City Clerk scheduled item for Council on May 22, 2019 .

05/17/2019 City Attorney document(s) referred to Budget and Finance Committee.

05/16/2019 Document(s) submitted by City Attorney, as follows:

City Attorney report R19-0144, dated May 16, 2019, relative to the request to discuss in closed session settlement in the case of Carl Mitchell, et al. v. City of Los Angeles, et al.

03/06/2019 Council discussed this matter in closed session and instructed City Attorney staff to settle this matter.

03/01/2019 City Clerk scheduled item for Council on March 6, 2019 .

02/01/2019 Homelessness and Poverty Committee scheduled item for committee meeting on February 6, 2019.

10/03/2018 Homelessness and Poverty Committee continued item to/for a date to be determined.

09/28/2018 Homelessness and Poverty Committee scheduled item for committee meeting on October 3, 2018.

09/07/2018 Homelessness and Poverty Committee continued item to/for a date to be determined.

09/06/2018 Homelessness and Poverty Committee scheduled item for committee meeting on September 7, 2018.

09/05/2018 Budget and Finance Committee waived consideration of item .

08/20/2018 Council Referral per Council President to also include Homelessness and Poverty Committee.

08/13/2018 City Attorney document(s) referred to Budget and Finance Committee.

08/10/2018 Document(s) submitted by City Attorney, as follows:

City Attorney report R18-0257, dated August 10, 2018, relative to a request to discuss in closed session pending litigation in the case of Carl Mitchell, et al. v. City of Los Angeles, et al.